

Applicant : Jason T. Bartell et al.  
Serial No. : 10/696,740  
Filed : October 28, 2003  
Page : 8 of 12

Attorney Docket No.: 07844-603001 / P556

Amendments to the Drawings:

The attached replacement sheet changes to FIG. 1 and replaces the original sheet FIG. 1.

FIG. 1 has been amended to correct a typographical error in the specification. Specifically, Ref. 110 in the specification refers to a “composition module” and Ref. 110 in FIG. 1 refers to a “stroke definition module”.

Attachments following last page of this Amendment:

Replacement Sheet (1 page)  
Annotated Sheet Showing Change(s) (1 page)

**REMARKS**

Claims 1, 3-11 and 13-20 are pending as of the action mailed July 2, 2007. Claims 1, 9, 11, 18, and 19 are being amended. Claims 7 and 17 have been cancelled. Claims 21-25 are newly added. No new matter has been added. Support for the amendments to claims 1 and 11 may be found within the applicant's specification at least at page 4, lines 1-9 and 24-26, for example. Newly added claims 21-25 are system claims corresponding to method claims 1, 3-6, and 8-10, and product claims 11, 13-16, and 18-20.

Reconsideration and allowance of the above-referenced application are respectfully requested.

**Amendments to the Drawings**

An amended FIG. 1 has been filed with this response. As noted above, FIG. 1 has been amended to correct a typographical error in the specification. Specifically, Ref. 110 in the specification refers to a "composition module" and Ref. 110 in FIG. 1 refers to a "stroke definition module".

**Information Disclosure Statement**

An Information Disclosure Statement has been filed with this response.

**Section 101 Rejections**

Claims 1, 3-11 and 13-20 are rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. To expedite prosecution, claims 1 and 11 have been amended to overcome the rejection under 35 U.S.C. § 101. Claims 3-10 depend from claim 1 and claims 13-20 depend from claim 11.

Withdrawal of the rejection under 35 U.S.C. § 101 is therefore respectfully requested.

**Section 112 Rejections**

Claims 18-20 are rejected under 37 U.S.C. 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The applicant wishes to thank the examiner for pointing out the typographical error in claim 18. Claim 18 has been amended accordingly. Claims 19 and 20 depend from claim 18.

Withdrawal of the rejection under 37 U.S.C. 112, second paragraph, is therefore respectfully requested.

### **Section 102 Rejections**

Claims 1, 3, 11 and 13 stand rejected under 35 U.S.C. §102(a) for allegedly being anticipated by “Adobe After Effects Help: Stylized Effects,” (“After Effects”).

#### **Claims 1 and 11**

Claims 1 and 11, as amended, recite in part, that the system receives “user input drawing a paint stroke during a time period”.

The cited portion of After Effects teaches a “write-on” effect which can “make the length of the stroke expand and contract as it is drawn” (After Effects – page 218). In After Effects, several parameters of the stroke (e.g., brush position, stroke length, etc.) are pre-defined in keyframes by the user in advance. Once the parameters are set, the system uses the keyframes to draw the stroke. In contrast, claims 1 and 11 require that the paint stroke is drawn by the user and without any pre-defined parameters. In fact, the parameters are defined as the stroke is being drawn by the user. In other words, the write-on effect is pre-defined and applied to the stroke as it is being drawn by the system. In contrast, the applicant’s claims require that the paint stroke is defined as it is being drawn by the user.

Additionally, claims 1 and 11 have been amended to better clarify that each stroke parameter occurs at a time value based on the drawing of the stroke by the user. Moreover, each stroke parameter value is modifiable such that a stroke parameter value associated with a first time value can be modified to be associated with a second time value that is different from the first time value.

Dependent claims 3 and 13

Claim 3 depends from independent claim 1 and claim 13 depends from independent claim 11. Thus, claims 3 and 13 are allowable for at least those reasons that apply to independent claims 1 and 11.

Withdrawal of the rejection under 37 U.S.C. 102(a), is therefore respectfully requested.

Remaining Claims

Claims 4-6 and 8-10 depend from or correspond to independent claim 1. Claims 14-16 and 18-20 depend from independent claim 11 and are allowable for at least the reasons that apply to those independent claims.

Additionally the applicant notes that claims 4-6, 8-10, 14-16, and 18-20 were rejected under 35 U.S.C. § 101 and claims 18-20 were rejected under 37 U.S.C. 112, second paragraph. Thus, claims 4-6, 8-10, 14-16, and 18-20 did not receive an art rejection. As noted above, the applicant has amended the claims to overcome the rejections under 35 U.S.C. § 101 and 37 U.S.C. 112, second paragraph, and as such, the applicant respectfully submits that claims 4-6, 8-10, 14-16, and 18-20 are in condition for allowance.

New Claims 21-25

Support for new claims 21-25 is noted above.

### Conclusion

The applicant respectfully requests that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the applicant's decision to amend or cancel any claim should not be understood as implying that the applicant agrees with any positions taken by the examiner with respect to that claim or other claims.

The required fees for excess claims and a petition for a one-month extension of time are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any charges or credits to Deposit Account No. 06-1050.

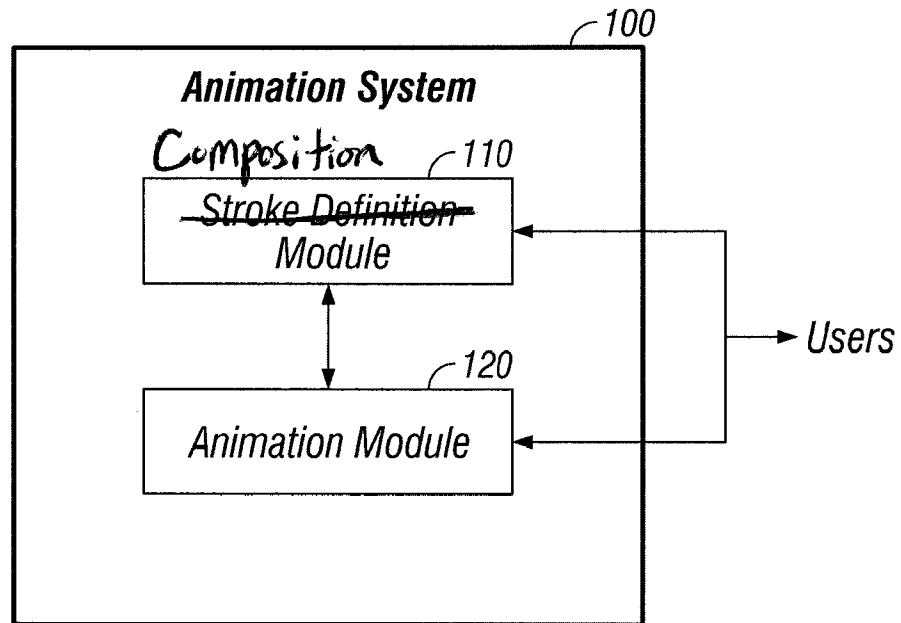
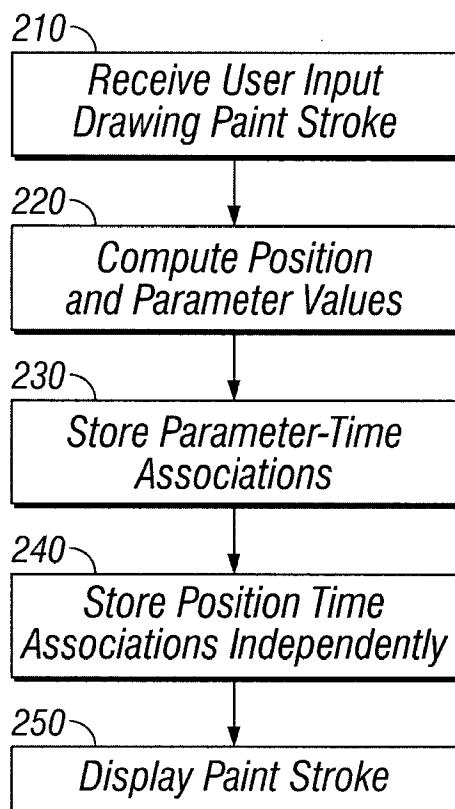
Respectfully submitted,

Date: November 1, 2007

/Arriènne M. Lezak/

Arriènne Lezak  
Reg. No. 51,943

Customer No. 21876  
Fish & Richardson P.C.  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

**FIG. 1****FIG. 2**